

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

The Gateway at Wynwood LLC,
2830 Wynwood Properties LLC,

Case No. 24-72586-LAS
Case No. 24-72589-LAS

Debtors.

Jointly Administered
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**ORDER APPROVING BID PROCEDURES FOR THE SALE
OF THE DEBTORS' PROPERTIES AT 2916 AND 2830 NORTH MIAMI
AVENUE, MIAMI, FLORIDA WITH ASSUMPTION AND ASSIGNMENT OF
EXISTING LEASES AND OTHERWISE FREE AND CLEAR OF LIENS, CLAIMS,
INTERESTS AND NON-PERMITTED ENCUMBRANCES, AND ESTABLISHING
BAR DATE FOR THE FILING OF OBJECTIONS TO PROPOSED CURE CLAIMS**

Upon the motion [ECF No. 71] (the "Sale Procedures Motion") of The Gateway at Wynwood LLC (the "Gateway Debtor") and 2830 Wynwood Properties LLC (the "2830 Debtor") and, collectively, the "Debtors") by their counsel seeking an Order pursuant to 11 U.S.C. §§ 363(b) and (f) to (i) authorize the bankruptcy auction sale of the Debtors' real properties; and (ii) approve bid procedures in connection with same; and the Debtors having filed the revised bid procedures on April 28, 2025 [ECF No. 81] (the "Revised Bid Procedures"); and the Court having considered the Sale Procedures Motion and the Revised Bid Procedures at a duly noticed hearing held on May 1, 2025; and based upon the record compiled at the hearing; and it appearing that the Revised Bid Procedures represent a prudent exercise of the Debtors' business judgment to conduct an auction sale of the Gateway Debtor's real property located at the Gateway at 2916 North Miami Avenue, Miami, Florida (the "Gateway Property") together with the 2830 Debtor's real property located at 2830 North Miami Avenue, Miami, Florida (the "2830 Property" and, collectively, the "Properties"); and this order being entered without prejudice to the rights and remedies of A10 Capital, LLC, in its capacity as Servicer and Special Servicer, for and on behalf of Wilmington

Trust, National Association, solely in its capacity as Trustee in trust for Holders of A10 Single Asset Commercial Mortgage 2023-GTWY, Commercial Mortgage Pass-Through Certificates, Series 2023-GTWY (the “Lender”), which rights and remedies are being fully preserved in all respects; and good and sufficient cause having been shown; it is hereby

ORDERED, that the Revised Bid Procedures, a copy of which are attached hereto as Exhibit “A”, are approved for selling the Properties; and it is further

ORDERED, that the Debtors are hereby authorized to conduct an auction sale (the “Auction”) of the Properties (the “Sale”) on June 30, 2025 at 3:00 p.m. in accordance with the Revised Bid Procedures, subject to all existing commercial leases, which leases shall be assumed and assigned as part of the Sale pursuant to 11 U.S.C. § 365, but otherwise free and clear of all claims, liens and interests with the same to attach to the proceeds of the sale pursuant to 11 U.S.C. § 363(b) and (f); and it is further

ORDERED, that notice of the Sale shall be published in the Miami Herald or the Wall Street Journal on at least two occasions prior to the Auction; and it is further

ORDERED, that the Lender shall retain credit bid rights as set forth in the Revised Bid Procedures and any other person or entity that is interested in purchasing the Properties (a “Bidder”) must submit a written bid to the Debtors (a “Bid”) in conformity with the approved Revised Bid Procedures; and it is further

ORDERED, that confirmation of auction results and final approval of the Sale shall be subject to a further order of the Bankruptcy Court following a hearing to be held on July 8, 2025 at 10:00 a.m. (the “Sale Hearing”) with objections, if any, to the Sale to be filed or asserted no later than July 3, 2025; and it is further

ORDERED, that the Debtors shall serve this Order, together with the Revised Bid Procedures, and a notice of proposed cure amounts to be paid with respect to the unexpired leases proposed to be assumed and assigned (the “Cure Claim Notice”), by email where known and otherwise by regular mail on or before May 6, 2025 on (i) the Office of the United States Trustee; (ii) all creditors of the Debtor and entities holding liens against or interests in the Properties, including current tenants; and (iii) any other persons and entities that have requested notice in this case pursuant to Bankruptcy Rule 2002; and it is further

ORDERED, that to the extent that any party to an unexpired lease disputes the amount of the cure claim listed by the Debtors in the Cure Claim Notice, it must file with the Court, and serve on Debtors’ counsel, Goldberg Weprin Finkel Goldstein LLP, 125 Park Ave., 12th Fl., New York, New York 10017, Attn: Kevin Nash, so as it be received on or before June 15, 2025 at 5:00 p.m., its objection setting for the basis for such objection; and it is further

ORDERED, that any party that fails to file a timely objection to the proposed cure amount proposed by the Debtors will be forever barred from asserting its cure claim against the Debtors, their estates, and/or any purchaser of the Properties; and it is further

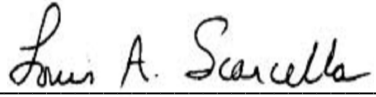
ORDERED, that the Debtors will make good faith and reasonable effort to resolve any disputes over cure claims with the non-debtor counterparty to the lease proposed to be assumed in advance of the Sale Hearing; and it is further

ORDERED, that any unresolved cure claim dispute will be scheduled for resolution at the Sale Hearing; and it is further

ORDERED, that the Court shall retain jurisdiction to interpret, implement and enforce the terms of this Order and the Revised Bid Procedures.

Dated: May 2, 2025
Central Islip, New York





Louis A. Scarcella
United States Bankruptcy Judge